

### **REMARKS**

Claims 1-19, 21-37, 48-64, and 71-78 are currently pending. Claims 6, 14-19, 21, 22, 25-33, 36, 37, 48, 56-64, 74, and 75 are withdrawn. Claims 1-5, 7-13, 23, 24, 34, 35, 49-55, 71-73, and 76-78 currently stand rejected. Claims 1-19, 21-37, 48-64, and 71-78 are cancelled by the present amendment. The deletion of any claims and any other loss of claimed subject matter is being made solely to expedite prosecution of the present application. Applicant is submitting the present Amendment without prejudice to the subsequent prosecution of claims to cancelled subject matter. Applicant explicitly reserves the right to pursue the subject matter of any of the cancelled or amended claims in applications which claim priority to the present application. Each of the rejections levied in the office action is addressed below.

New claims 79-125 are added. Support for each of the new claims is shown in the table below.

<b>New claim</b>	<b>Original claim or other support</b>
79	1-2, and page 19, paragraph [0045]; page 25, paragraph [0058], page 31, paragraphs [0125] and [0130])
80	3
81	25
82	28
83	30
84	32
85	34
86	36
87	4
88	24
89	26
90	29
91	31
92	33

93	35
94	37
95	9
96	11
97	12
98	10, 13
99	14
100	15
101	16
102	17
103	18
104	19
105	21
106	22
107	42
108	43
109	44
110	45
111	48
112	Page 160, Paragraph [0427]; page 156, paragraph [0415]; page 158, paragraph [0420]
113	Page 160, Paragraph [0427]
114	1-2
115	Cancelled claim 73
116	Cancelled claim 74
117	Cancelled claim 75
118	Cancelled claim 76
119	Cancelled claim 77

120	Cancelled claim 78
121	49
122	52
123	53
124	54
125	55

In addition, general support for  $n = 3$  is found throughout the specification (and original claim 20). Support for carbon-number ranges on substituents is found in the definitions section, for example, pages 4-7 of the specification. No new matter has been added.

### **Interview**

Applicant thanks the Examiner for granting a telephonic interview on September 3, 2010. During the interview, possible claim amendments were discussed and progress was made. In particular, Applicant and Examiner discussed a claim set wherein compounds have either a non-natural migrastatin side chain and/or a non-natural migrastatin macrolide core. Applicant presents such a claim set in the present Amendment, and submits that the present claims are in a condition for allowance.

Applicant submits that the rejections levied under 35 USC §§ 102 and 112 are now moot in view of the claim amendments. To the extent that any provisional double patenting rejection over US application serial number 10/551,152 is levied on the amended claims, Applicant holds the rejection in abeyance to be addressed when a relevant claim of US application serial number 10/551,152 issues. Applicant respectfully requests that the Examiner forego any double patenting rejection of new claims 79-125 over US application serial number 10/551,152 and instead acknowledge patentability of these claims.

### **Conclusion**

Applicant respectfully submits that the present case is now in condition for allowance. A Notice to that effect is requested. Applicant invites the Examiner to call the undersigned at (617)

248-5213 with any questions pertaining to the above-identified application in order to expedite prosecution of this case.

Applicant believes that no fees are associated with the present Amendment. To the extent that there are any discrepancies between what Applicant has paid with the filing of the present Amendment and what the USPTO believes is owed, including claim fees, Applicant respectfully requests that a Notice be issued explaining any such discrepancy.

Respectfully submitted,

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